



Department of Health Professions

DIRECTOR'S POLICY # 76-3.4

Complainant Notification of Case Proceedings

Effective Date: May 2, 2011

Approved By:

D. Reynolds-Cane MD

Dianne Reynolds-Cane, M.D., Director

Purpose: To ensure that individuals who are victims of misconduct or who present information alleging misconduct are informed of the outcome of Board action and are allowed to participate in the disciplinary process to the extent possible under the law.

Policy: Every known individual who files or causes to be filed a complaint that results in, contributes to or becomes part of a formal, informal or other type of proceeding shall be notified of each such proceeding and accorded the opportunity to be present. Such individuals shall also be provided a copy of each order of the Board pertaining to the case in addition to any information as may be necessary and in accordance with law (e.g., such as cover letter).

Procedure: The Executive Director of each Board shall establish and implement processes to conform to the policy set forth in this Director's Policy for timely, thorough and clear notification, including the name and telephone number of a staff member who will be able and accessible to provide answers and explanations for such individuals.

1. An individual entitled to notification as set forth in this Policy may waive notification by signing a statement to that effect.
2. An individual who has declined or failed to provide the Department with a complete or accurate address shall be considered to have waived notification.
3. The Director or his designee may waive all or part of this requirement when, in his judgment, good cause exists to do so. Requests for such waivers shall be submitted to the Director in writing.
4. A notice of a telephone conference call scheduled pursuant to § 54.1-2400 (13) for the purpose of considering modification of a previously issued board order shall include specific reference to the final order of the respondent. The Board may also provide written notice to the complainant(s) prior to the telephone conference call.